Secrt. II-27—100,000—21-5-52.

Development (1951) Department.

MS SERIES.

G.O. No. 4136

Dated 7. 9. 51.

[Despatch Abstract.]

Acts - Factories Act-1948- Rules regarding the prescription of duties qualifications and conditions - Service of welfare officers - Draft rules -- published.

GOVERNMENT OF MADRAS.
ABSTRACT.

ACTS - Factories Act 1948 - Rules regarding the prescription of duties qualifications and conditions of service of Welfare Officers - Draft rules - Published.

Development Department.

G.O.Ms.No.4136. Dated 17th September 1951.
Read the following:-

From the Government of India, Ministry of Labour No.Fac-41(186), dated 27.3.1951.
From the Chief Inspector of Factories, No.B-1-3391/50, dated 20.4.1951.

O R D E R:

The Superintendent, Government Press, Madras, is requested to publish the appended notification in the Fort St.Georg Gazette in English, and in the languages of the State. The Senior Translator to Government is requested to supply the Superintendent, Government Press with the requisite translations of the notification.

(By Order of etc.)

J.M.Lobo Prabhu,
Secretary to Government.

To The Superintendent, Government Press, for publication of the notification.
To The Senior Translator to Government, Madras.
To The Chief Inspector of Factories, Madras.
To The Commissioner of Police, Madras.
~~To all~~ Copy to all Collectors.
Copy to all Departments of the Secretariat.
Copy to all Commissioners of Municipalities, through Chairmen.
Copy to all District Panchayat Officers through Inspector of Municipal Councils and Local Boards.
Copy to the Director of Public Health, Madras.
Copy to the Transport Commissioner, Mount Road, Madras.
Copy to the Inspector-General of Prisons, Madras.
Copy to the Director of Industries and Commerce, Madras.
Copy to the Director of Agriculture, Madras.
Copy to the Board of Revenue, (Civil Supplies).
Copy to the Board of Revenue, Madras.
Copy to the Joint Director of Agriculture, Madras.
Copy to the Director of Cinchona Department, Ooty.
Copy to the Chief Engineers through Public Works Department.
Copy to the Accountant-General, Madras.
Copy to the Commissioner, Corporation of Madras, through Mayor.
Copy to the Government of India, Ministry of Labour, New Delhi.
Copy to the Chief Commissioner of Coorg, Madras.
Copy to the Deputy Financial Advisor (Factories) Government of India, Ministry of Finance, 6, Esplanade East, Calcutta.

/True copy/

R Narayanan 18.2.56
Superintendent,
Madras Record Office,
Madras.

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p.t.o.. 2 for Appendix.

APPENDIX

NOTIFICATION.

The following draft of certain rules prescribing the number, duties, qualifications and conditions of service, of Welfare Officers, which it is proposed to make in exercise of the powers conferred by sections 49, 50 and 112 of the Factories Act, 1948 (Central Act LXIIII of 1948) is hereby published for general information, as required by Section 115 of the said Act.

Notice is hereby given that the draft rules will be taken into consideration on or after the ------16th January 1952 and that any objection or suggestions which may be received from any person with respect thereto before that date will be considered by the Government of Madras. Objections and suggestions should be addressed to the Secretary to the Government of Madras in the Development Department through the Commissioner of Labour and Chief Inspector of Factories, Madras.

DRAFT RULES.

1. Short Title and Commencement:- (1) These Rules may be called the Welfare Officers (Recruitment and Comditions of Service) Rules, 1951.

(2) They shall come into force on such date as the State Government may, by notification in the Official gazette, appoint in this behalf.

2. Definitions . In these rules, unless the context otherwise requires:-

(a) the "Act" means to the Factories Act, 1948 Central Act (LXIII) of 1948);

(b) the expressions, 'factory' and 'occupier' have the meanings respectively assigned to them in the Act.

3. Number of Welfare Officers: Within six months of the date specified in a notification issued under sub-rule (2) of rule 1 the occupier of every factory where five hundred or more workers are ordinarily employed, shall appoint at least one Welfare Officer.

Provided that, where the number of workers exceed two thousand one Welfare Officer shall be appointed for every two thousand workers or a fraction thereof.

4. Qualifications:- A person shall not be eligible for appointment as a Welfare Officer, unless he -

(a) possesses a degree of a University recognised by the State Government in this behalf;

(b) has obtained a Degree or Diploma in Social Science from any institution recognised by the State Government in this behalf; and

(c) has adequate knowledge of the language spoken by the majority of the workers in the factory to which he is to be attached.

Provided that, in the case of a person who is acting as a Welfare Officer at the commencement of these rules, the State Government may, subject to such conditions as they may specify, relax all or any of the aforesaid qualifications.

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5. Recruitment of Welfare Officers - (1) The post of a Welfare Officer shall be advertised in all the prominent newspapers of the State.

(2) Selection for appointment to the post of Welfare Officer shall be made from among the candidates applying for the post by a Committee appointed by the occupier of the Factory.

(3) The appoint when made shall be notified by the occupier to the State Government or such other authority as the State Government may specify for the purpose, giving full details of the qualifications, etc., of the officer appointed and the conditions of his service.

6. Conditions of service of Welfare Officers:- (1) A welfare Officer shall be given appropriate status corresponding to the status of the other executive heads of the factory.

(2) The conditions of service of a Welfare Officer shall be the same as those of other members of the staff of corresponding status in the factory.

Provided that, in the case of discharge or dismissal, the Welfare Officer shall have a right of appeal to the State Government whose decision thereon shall be final and binding upon the occupier.

7. Duties of Welfare Officers: The duties of a Welfare Officer shall be -

(i) to establish contacts and hold consultations with a view to maintaining harmonius relations between the factory management and workers;

(ii) to bring to the notice of the factory management the grievances of workers, individual as well as collective, with a view to securing their expeditious redress and to act as a negotiating officer with trade unions;

(iii) to study and understand the point of view of labour in order to help the factory management to shape and formulate labour policies and to interpret these policies to the workers in a language they can understand;

(iv) to watch industrial relations with a view to using his influence in the event of a dispute arising between the factory management and workers and to help to bring about a settlement by conciliation and arbitration;

(v) to deal with wage and employment matters by joint consultations with the factory management and workers' representative bodies;

(vi) to exercise a restraining influence over workers going on illegal strikes and over managements declaring illegal lockouts, and to help in preventing anti-social activities;

(vii) to maintain a neutral attitude during legal strike or lockouts and to help in bringing about a peaceful settlement;

(viii) to ensure fulfilment on the part of the factory management of obligations, statutory or otherwise, concerning the application of provisions of the Factories Act, 1948 and the rules made thereunder, and to establish liasion with the Factory Inspector and the Medical Services concerning medical examinations of employees, health records, supervision of hazardous jobs, sick visiting and convalascence, accident prevention and supervision of safety committees, systematic plant inspection, safety education, investigation of accidents, maternity benefits and workmen's compensation;

(ix) to promote relations between factory management and workers which will ensure productive efficiency as well as amelioration in the working conditions and to help workers

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to adjust and adapt themselves to their working environments;

(x) to encourage the formation of Works and Joint Production Committees, Co-operative Societies and Safety First and Welfare Committees, and to supervise their work;

(xi) to secure provision of amenities, such as canteens shelters for rest, creches, adequate latrine facilties, drinking water, sickness and and benevolent scheme payments pension and superannuation funds, gratuity payments, granting of loans, and legal advice to workers;

(xii) to help the factory management in regulating the grant of leave with wages and explain to the workers the provisions relating to leave with wages and other leave privileges and to guide the workers in the matter of submission of applications for grant of leave for regulating authorised absence;

(xiii) to secure welfare provisions, such as housing facilties, food stuffs , social and recreational facilities, sanitation, advice on individual personnel problems and education of children;

(xiv) to advise the factory management on questions relating to training of new starters, apprenticers, workers on transfer and promotion, instructors and supervisors, supervision and control of notice-board and information bulletins to further education of workers and to encourage their attendance at Technical Institutes.

(xv) to suggest measures which will serve to raise the standard of living of workers and in general promote their well being.

8. Powers of Exemption: The State Government may, by notification in the official gazette, exempt any factory or class or description of factories from the operation of all or any of the provisions of these Rules subject to compliance with such alternative arrangements as may be approved.

/True copy/

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